

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CRIMINAL NO. 1:01CR48

UNITED STATES OF AMERICA

VS.

TIMNAH RUDISILL

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ORDER

THIS MATTER is before the Court on the Defendant's application to proceed without the prepayment of fees.

There are no pending matters before the Court involving this Defendant that require prepayment of any filing fees. The Court notes, however, that on the application Defendant states, "[a]lso needing Appeals Brief [and] Government Response." If the Defendant is seeking copies of these documents at Government expense, he is not entitled to such materials at Government expense absent some showing of a particularized need. *United States v. MacCollom*, 426 U.S. 317, 326-27 (1976); *Miller v. Smith*, 99 F.3d 120, 125 n.5 (4th Cir. 1996); *United States v. Davis*,

972 F.2d 342 (table), 1992 WL 180109 (4th Cir. 1992). He has not done so.

IT IS, THEREFORE, ORDERED that the Defendant's application to proceed without the prepayment of fees is **DENIED**.

Signed: July 18, 2007

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', written over a horizontal line.

Lacy H. Thornburg
United States District Judge

